

# COMMITTEE STATEMENT

## LB 1079

HEARING DATE: February 1, 2000

COMMITTEE ON: Agriculture

TITLE: (Schrock, Dierks) Provide for cultivation of industrial hemp

### ROLL CALL VOTE – FINAL COMMITTEE ACTION

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X Advanced to General File

Advanced to General File with Amendments

Indefinitely Postponed

#### Vote Results:

6	Yes	Senators Chambers, Cudaback, Dierks, Janssen, Schrock, and Vrtiska
1	No	Senator Hilgert
0	Present, not voting	
1	Absent	Senator Dickey

#### PROPOSERS

Senator Ed Schrock  
Lewis Nelson  
Kurt Siedschlaw  
John Dietrich  
Jim McKinstry  
Jim Frager  
Loran Schmit  
Rob Robertson  
Dr. Sally Herrin  
Pat Ptacek  
Pat Knapp  
Mark Havlet  
David Splichal  
Lyn Schropfer

#### REPRESENTING

Introducer  
University of Nebraska-Lincoln  
University of Nebraska-Kearney  
Nebraska State Patrol  
Nebraska State Patrol  
Trailblazer R C & D  
Himself  
Nebraska Farm Bureau  
Nebraska Farm Bureau  
Nebraska Farmers Union  
Nebraska Grain & Feed Association  
Sierra Club  
Himself  
Himself

#### OPPOSERS

Susie Dugan

#### REPRESENTING

PRIDE-Omaha, Inc.

#### NEUTRAL

Terrence Kubicek

#### REPRESENTING

Homestead Reliance, Inc.

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### SUMMARY OF PURPOSE AND/OR CHANGES:

The substantive provisions of the bill are contained in sections 1 and 2. The bill recognizes industrial hemp as an oilseed and allows persons who obtain a license from the Department of Agriculture to grow, harvest, plant, possess, process, sell and buy industrial hemp. Industrial hemp is referred to as the species *cannabis sativa* “having no more than 3/10 of 1% Tetrahydrocannabinol” (THC).

Applications for a license to grow industrial hemp would require identification of applicant, legal description of land to be used for the cultivation, and a criminal background check. Persons with prior criminal records would be ineligible to obtain a license. Licensees would have the duty of providing documentation to the Dept. that seeds planted are certified industrial hemp seeds and grown under contract. Licensees also have a duty to notify the Dept. of the sale or distribution of any industrial hemp, including the names of persons to whom sold or distributed.

Sections 3 through 8 harmonize various other provisions of state law. (see section by section)

### Section by Section:

Section 1: Recognizes industrial hemp as an oilseed and sanctions commercial activities with respect to industrial hemp that meet the requirements of section 2.

Section 2: Provides for licensure of persons to grow industrial hemp. Application for a license shall require applicants to provide a legal description of the land to be used in production and submission of a set of fingerprints for a criminal background check. Persons with a prior criminal record are ineligible for a license. Qualified applicants would receive a license valid for one year. Licensees would have the duty to document that seeds used in production are certified industrial hemp seeds, any contract under which industrial hemp is grown, and to notify the Dept. of the disposition of industrial hemp. The Department shall by rule and regulation provide for the testing and supervision of growing hemp crops. Costs to the Dept. are to be offset by a license application fee of \$5 / acre with a minimum fee of \$100. The Industrial Hemp Licensure Fund is created.

Section 3: Amends 2-954 to provide that industrial hemp may not be designated a noxious weed for purposes of the Noxious Weed Control Act.

Sections 4 & 5: Amends authorities of first and second class cities and villages with respect to nuisance abatement by redefining the definition of weeds to exclude industrial hemp.

Section 6: Amends section 28-401, the definitions section of the Uniform Controlled Substances Act, to redefine the terms “marijuana” and “hashish” to exclude industrial hemp or resins obtained from industrial hemp, from these terms.

Section 7. Amends 28-405 to exclude industrial hemp and THC's below the level of concentration found in industrial hemp from the definition of Schedule I controlled substances.

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Section 8: Amends section 81-2,147.06 to provide that seeds of industrial hemp shall not be designated as noxious weed seeds for purposes of the Nebraska Seed Law.

Section 9: Repealers

EXPLANATION OF AMENDMENTS, IF ANY:

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Senator